

December 4, 1996

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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Dear Secretary,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Hayfield, Virginia.

Sincerely,



Victor A. Michael Jr.

President

Vixon Valley Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

307-632-4400

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Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

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In the matter of:)

Amendment of Section 73.202 (b))

Table of Allotments)

FM Broadcast Stations)

(Hayfield, Virginia)

RM-_____

PETITION FOR RULE MAKING

In this petition, Vixon Valley Broadcasting is hereby requesting to allot channel 263A (100.5 Mhz) to Hayfield, Virginia, as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 263A (100.5 Mhz) to Hayfield, Virginia and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 263A to Hayfield will have.

DISCUSSION

2. Hayfield is located in northern Virginia. It is also located within Frederick County, a county of some 45,723 persons. Hayfield has a population of about 200 persons. While Hayfield is not incorporated and not listed in the 1990 U.S. Census, it is well organized. The U.S.G.S. recognizes Hayfield as the 7.5 minute sectional is named after Hayfield. There are several businesses in Hayfield and it is the business trading area for a several mile radius.

3. The allotment of channel 263A to Hayfield will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Hayfield is located at Strasburg, Virginia. Strasburg is located 26 kilometers from Hayfield.

It is obvious that from the above spacing that Hayfield is presently without local FM service.

4. Hayfield would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 26 Kilometers of Hayfield. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Hayfield area of emergency conditions caused by severe weather or other health hazards.

5. Channel 263A can be allotted to Hayfield and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Hayfield, Virginia	-----	263A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 263A and the pertinent adjacent channels to 263A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N. 39 - 21' - 21", W. 78 - 18' - 11") are that of a site located within 13.6 kilometers of the community of Hayfield. A site restriction of 13.6 Kilometers north will be required to allot channel 263A to Hayfield. Suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Hayfield.

CONCLUSION

7. It has been shown that Hayfield would benefit from the allotment of channel 263A. It has also been shown that channel 263A can be allotted to Hayfield and meet all rules regarding spacing from other stations. Considering these two facts, Vixon Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 263A for Hayfield, Virginia , 73.202.

8. Should channel 263A be allotted to Hayfield, Virginia, I certify that I will file an application for a Construction Permit to operate an FM station for Hayfield, Virginia.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: December 4, 1996

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Victor A. Michael Jr.', written in a cursive style.

Victor A. Michael Jr.
President
Vixon Valley Broadcasting

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1912 Capitol Avenue, Suite 300
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MAPFM search of channel 263A6 (100.5 MHz), at N. 39 21 21, W. 78 18 11.

Searching Channel 263A6 (100.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
WSHC	Shepherdstown	WV	209	A	L	43.7	10.0	78.9°	33.7
WMTBFM	Emmitsburg	MD	210	A	L	89.1	10.0	65.9°	79.1
WPER	Culpeper	VA	210	B	C	79.3	15.0	149.3°	64.3
ALC	Frederick	MD	260	B	U	71.0	69.0	77.0°	2.0
WFREFM	Frederick	MD	260	B	L	71.0	69.0	77.0°	2.0
ALC	Romney	WV	261	A	U	39.1	31.0	268.0°	8.1
WJJB	Romney	WV	261	A	C	42.6	31.0	280.0°	11.6
WJJB	Romney	WV	261	A	L	42.6	31.0	280.0°	11.6
WJJB	Romney	WV	261	A	L	42.6	31.0	280.0°	11.6
ALC	Washington	DC	262	B	U	120.7	113.0	111.6°	7.7
WBIGFM	Washington	DC	262	B	L	120.8	113.0	111.6°	7.8
WBIGFM	Washington	DC	262	B	L	113.2	113.0	116.8°	0.2
W263AJ	Cumberland	MD	263	D	C	51.3	0.0	307.1°	51.3
ALC	Bellaire	OH	263	B	U	224.8	178.0	289.6°	46.8
WOMPFM	Bellaire	OH	263	B	L	224.8	178.0	289.6°	46.8
ALC	Elizabethville	PA	263	A	U	185.2	115.0	43.4°	70.2
WYGLFM	Elizabethville	PA	263	A	L	188.7	115.0	41.8°	73.7
ALC	Powhatan	VA	263	A	A	193.1	115.0	171.9°	78.1
ALC	Goochland	VA	263	A	A	188.3	115.0	169.3°	73.3
ALC	Westminster	MD	264	B	U	127.5	113.0	76.9°	14.5
WGRX	Westminster	MD	264	B	L	127.5	113.0	76.9°	14.5
ALC	New Kensington	PA	264	B	U	190.8	113.0	316.1°	77.8
WZPT	New Kensington	PA	264	B	L	192.8	113.0	311.0°	79.8
ALC	Harrisonburg	VA	264	B	U	113.2	113.0	207.7°	0.2
WQPO	Harrisonburg	VA	264	B	L	113.2	113.0	207.7°	0.2
ALC	Bedford	PA	265	A	U	78.3	31.0	347.3°	47.3
WOOX	Bedford	PA	265	A	L	76.0	31.0	343.6°	45.0
ALC	Washington	DC	266	B	U	114.7	69.0	110.2°	45.7
WWDCFM	Washington	DC	266	B	L	114.7	69.0	110.2°	45.7
ALC	Westernport	MD	266	A	U	65.5	31.0	282.8°	34.5
WWPN	Westernport	MD	266	A	C	66.9	31.0	272.6°	35.9

FIGURE 1
SPACING STUDY
HAYFIELD, VIRGINIA

HAYFIELD QUADRANGLE
VIRGINIA - FREDERICK CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

53821 SW
(WHITE HALL)

FIGURE 1A
U.S.G.S MAP SHOWING
HAYFIELD, VIRGINIA

